

California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-3348

**NOTICE OF PUBLIC HEARING**

For  
ORDER NO. R8-2003-0089  
Reconsidering Order No. R8-2003-0003, NPDES NO. CA8000402  
For  
Inland Empire Utilities Agency  
Regional Water Recycling Plant No. 5  
Chino, San Bernardino County

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Santa Ana Region, proposes to reconsider waste discharge and producer/user water recycling requirements for Inland Empire Utilities Agency's Regional Water Recycling Plant No. 5 to change the date for rescission of CDO No. 01-5 and Order No. 01-2 for RP-2 to December 30, 2003.

The Board is seeking comments concerning the proposed amendment to waste discharge requirements. The Board will hold a public hearing to reconsider adoption of Order No. R8-2003-0003, NPDES No. CA8000402, waste discharge and producer/user water recycling requirements for RP-5 as follows:

**DATE:** August 22, 2003  
**TIME:** 9:00 a.m.  
**PLACE:** Orange County Water District  
Joint Facilities Board Room  
10500 Ellis Ave.  
Fountain Valley, California

Interested persons are invited to submit written comments on the proposed Order No. R8-2003-0089. Interested persons are also invited to attend the public hearing and express their views on issues relating to the proposed Order. Oral statements will be heard, but should be brief to allow all interested persons time to be heard. For the accuracy of the record, all testimony (oral statements) should be submitted in writing.

Although all comments that are provided up to and during the public hearing on this matter will be considered, receipt of comments by August 4, 2003, would be appreciated so that they can be used in the formulation of the final draft Order that will be transmitted to the Board two weeks prior to the hearing. The final draft Order may contain changes resulting from comments received from the public. To view on/or download a copy of the final draft Order, please access our website at [www.swrcb.ca.gov/rwqcb8](http://www.swrcb.ca.gov/rwqcb8) on or after August 11, 2003.

The Board's proposed Order, related documents, and all comments and petitions received may be inspected and copied at the Regional Board office, 3737 Main Street, Suite 500, Riverside, CA 92501-3348 (phone 909-782-4130) by appointment scheduled between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday. Copies of the proposed Order will be mailed to interested persons upon request to Jun Martinez ((909) 782-3258).

Any person who is physically handicapped and requires special accommodation to participate in this Regional Board Meeting should contact Barbara Laffoon at (909) 782-3285 no later than August 11, 2003.

Please bring the foregoing to the attention of any persons known to you who would be interested in this matter.

California Regional Water Quality Control Board  
Santa Ana Region

August 22, 2003

**ITEM:**

**SUBJECT:** Reconsideration of Order No. R8-2003-0003, NPDES No. CA8000402, Waste Discharge and Producer/User Water Reclamation Requirements for Inland Empire Utilities Agency – Regional Water Recycling Plant No. 5, Order No. R8-2003-0089.

**DISCUSSION:**

On July 1, 2003, the Regional Board adopted Order No. R8-2003-0003, NPDES No. CA8000402 prescribing waste discharge and producer/user water reclamation requirements for Inland Empire Utilities Agency – Regional Water Recycling Plant No. 5 for the discharge of tertiary treated wastewater to Chino Creek and rescinding Order No. 01-2 and Cease and Desist Order No. 01-5 as of July 1, 2003.

The rescission effective date for Order No. 01-2 and Cease and Desist Order No. 01-5 is erroneous. The rescission date should have been December 30, 2003. The tentative version of the requirements that was brought to the Board on July 1, 2003 inadvertently contained a provision rescinding the requirements for the operation of RP-2, effective immediately.

However, RP-5, which will replace RP-2 is currently under construction and is not expected to begin operation until November 2003. In the meantime, RP-2 continues as a wastewater treatment plant that treats domestic and commercial/industrial wastewater from the cities of Chino and Chino Hills. The discharger requires continuing coverage under Order No. 01-2, NPDES No. CA0105287 and Cease and Desist Order (CDO) No. 01-5 for continued operation of RP-2 until the end of the calendar year.

**RECOMMENDATION:**

Reconsider Order No. R8-2003-0003 in order to revise the rescission effective date of Order No. 01-2, NPDES No. CA0105287 and Cease and Desist Order (CDO) No. 01-5 for continued operation of RP-2 from July 1, 2003 to December 30, 2003. Adoption of Order No. R8-2003-0089 would effectively provide permit coverage for the continued operation of RP-2 until the end of the calendar year.

Comments were solicited from the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) - Doug Eberhardt  
U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch  
U.S. Fish and Wildlife Service, Carlsbad  
State Water Resources Control Board, Office of the Chief Counsel - Jorge Leon  
State Water Resources Control Board, Division of Water Quality - James Maughan  
State Water Resources Control Board, Division of Financial Assistance - Diana Robles  
State Department of Water Resources, Glendale  
State Department of Fish and Game, Long Beach  
State Department of Health Services, San Bernardino  
State Department of Health Services, Carpinteria – Jeff Stone  
San Bernardino County Department of Public Works – Naresh Varma  
San Bernardino County Environmental Health Services – Mike Farrell  
Orange County Water District - Nira Yamachika  
City of Chino - City Manager  
City of Chino - Brett Hulstrom  
City of Chino Hills - City Manager  
Santa Ana River Discharger's Association – Roger Turner  
Santa Ana Watershed Project Authority – Joseph Grindstaff  
Orange County Coastkeeper  
Lawyers for Clean Water

California Regional Water Quality Control Board  
Santa Ana Region

ORDER NO. R8-2003-0089

Reconsideration of Order No. R8-2003-0003, NPDES No. CA8000402  
Waste Discharge and Producer/User Reclamation Requirements

for

Inland Empire Utilities Agency  
Regional Water Recycling Plant No. 5  
Chino, San Bernardino County

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter, Board), finds that:

1. On July 1, 2003, the Board adopted Order No. R8-2003-0003, NPDES No. CA8000402, prescribing Waste Discharge and Producer/User Reclamation Requirements for Inland Empire Utilities Agency's (IEUA) Regional Water Recycling Plant No. 5 (RP-5) for the discharge of tertiary treated wastewater to Chino Creek.
2. RP-5 is currently under construction and is not expected to begin operation until November 2003. RP-5 will eventually replace IEUA's Regional Plant No. 2 (RP-2). RP-2 is an existing wastewater treatment plant that treats domestic and commercial/industrial wastewater from the cities of Chino and Chino Hills. RP-2 is regulated under Order No. 01-2, NPDES No. CA0105287 and under Cease and Desist Order (CDO) No. 01-5.
3. Provision J.3 of Order No. R8-2003-0003, NPDES No. CA8000402 inadvertently rescinded Order No. 01-2 and CDO No. 01-5 for RP-2 effective July 1, 2003. Provision J.3. should be revised to delay the rescission of these Orders until after waste discharges from RP-2 have ceased and RP-5 has begun full operation. RP-5 is expected to be fully operational by December 30, 2003.
4. In accordance with Water Code Section 13389, reconsideration of the waste discharge requirements for this discharge is exempt from those provisions of the California Environmental Quality Act contained in Chapter 3 (commencing with Section 21100), Division 13 of the Public Resources Code.
5. The Board has notified the discharger and other interested agencies and persons of its intent to reconsider the rescission date of Order No. 01-2 and CDO No. 01-5 and has provided them with an opportunity to submit their written views and recommendations.
6. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

**IT IS HEREBY ORDERED** that Order No. R8-2003-0003, NPDES No. CA8000402, is reconsidered and the rescission dates are revised as follows: (Additions are bold and highlighted)

1. Order No. R8-2003-0003, change Finding 3. as follows:
  3. To comply with the requirements of CDO No. 01-5, the discharger opted to construct RP-5 at a site not subject to flooding. Once constructed and in operation, the proposed RP-5 will assure compliance with CDO No. 01-5 requirements. This Order rescinds CDO No. 01-5 **as of December 30, 2003**.
2. Order No. R8-2003-0003, change Finding 4. as follows:
  4. RP-5 is currently under construction to meet the deadline stipulated in CDO No. 01-5. When RP-5 is operational, treated wastewater will no longer be discharged from RP-2 to Chino Creek. This Order rescinds Order No. 01-2 **as of December 30, 2003**.
3. Order No. R8-2003-0003, change Provision J.3. as follows:
  3. Order No. 01-2 and CDO No. 01-5 are hereby rescinded **on December 30, 2003**.
4. All other conditions and provisions of Order No. R8-2003-0003 shall remain unchanged.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the forgoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on August 22, 2003.

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Gerard J. Thibeault  
Executive Officer